

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. Such attachment is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

REMARKS

Claims 1-21 stand rejected under 35 USC §102(a) as anticipated by or, in the alternative, under 35 USC §103(a) as obvious over Hurley et al. (US 5,938,878). In the Office Action, the core material of Hurley is stated to be analogous to the coating as claimed in the present application. It is then noted that the core of Hurley may comprise ethylene-propylene rubber (col. 9, line 25). Thus, Hurley is deemed to be identical to or only slightly different than the claimed article.

Applicant points out, however, that ethylene-propylene rubber is one of dozens of polymers that are taught by Hurley to be suitable for the core layer (col. 9, lines 20-45). Further, no preference is stated or significance attributed to the selection of ethylene-propylene rubber among all of the other suitable polymers. Moreover, the core layer of Hurley is a structural component of the disclosed foam laminate structure (see, e.g., col. 7, line 46 through col. 8, line 11 and FIGS. 1-3). Accordingly, Applicant submits that Hurley does not teach or suggest using ethylene-propylene rubber as a coating disposed on a foam sheet in order to bond such foam sheet to a second foam sheet having a different chemical composition and at a bond strength of at least 4 lb_f/inch as claimed.


In order to better define the nature of the claimed coating, i.e., a relatively thin, non-structural layer that functions only to bond two different foam layers, claims 1 and 12 have been amended to specify that the thickness of the coating ranges from about 1 to about 6 mils. Support for the amendment is found in the specification at page 7, lines

15-18. Applicant has found that a thin coating falling within the range of 1-6 mils provides the strongest bonds. This feature is neither taught nor suggested in Hurley, which emphasizes other means to achieve bonding as discussed in Applicant's previous response.

Accordingly, Applicant submits that Hurley does not anticipate nor establish a *prima facie* case of obviousness against claims 1-21 as now presented.

For all of the foregoing reasons, Applicant submit that the claims as now presented are patentably distinct from the references of record and are, therefore, in condition for allowance. A Notice of Allowance is earnestly solicited.

Respectfully submitted,


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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

Claims 1 and 12 have been amended as follows:

1. (Twice amended) A composite structure, comprising:
 - a. a foam sheet comprising polyolefin; and
 - b. a coating disposed on at least one surface of said polyolefin foam sheet, said coating having a thickness ranging from about 1 to about 6 mils and comprising at least one member selected from the group consisting of ethylene/propylene rubber, homogeneous ethylene/alpha-olefin copolymer, and ethylene/acrylic acid copolymer,
wherein, said coating is capable of bonding said polyolefin foam sheet to a second foam sheet having a different chemical composition than said polyolefin foam sheet at a bond strength of at least about 4 lb_f/inch.
12. (Amended) A multilayer composite structure, comprising:
 - a. a first foam layer comprising polyethylene homopolymer or copolymer;
 - b. a second foam layer comprising polypropylene homopolymer or copolymer; and
 - c. a coating disposed between and bonding said first and second foam layers together at a bond strength of at least about 4 lb_f/inch, said coating having a thickness ranging from about 1 to about 6 mils and comprising at least one member selected from the group consisting of ethylene/propylene rubber, homogeneous ethylene/alpha-olefin copolymer, and ethylene/acrylic acid copolymer.